

U.S. DISTRICT COURT

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DISTRICT OF UTAH

BY: _____
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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

IN RE iMERGENT
SECURITIES LITIGATION

Master File No.: 2:05-cv-0204 (DB)

**ORDER ALLOWING FOR THE FINAL DISPOSITION
OF UNCLAIMED SETTLEMENT FUNDS TO CHARITY**

THIS CAUSE comes before the Court upon the parties' Joint Motion Allowing for the Final Disposition of Unclaimed Settlement Funds to Charity (the "Motion") and supporting memorandum of law (the "Memorandum of Law"), and the Declaration of Jason Zuena Concerning Remaining Balance of Settlement Fund (the "Zuena Decl."), submitted herewith. The Court has

considered the Motion, the Memorandum of Law, and the Zuena Decl. and is otherwise fully advised about the above-captioned litigation (the “Action”).

WHEREAS, the captioned class action (the “Action”) was settled pursuant to the terms and conditions of the stipulation of settlement, dated as of October 31, 2007 (the “Stipulation”), providing for settlement of the Action on behalf of a certified class consisting of all persons who purchased or acquired the common stock of iMergent Corporation from November 20, 2001 through October 6, 2005, inclusive, and were injured thereby, excluding defendants, members of the individual defendants’ immediate families, any entity in which any defendant has a controlling interest or is a parent or subsidiary controlled by iMergent, and the officers, directors, affiliates, legal representatives, heirs, predecessors, successors and assigns of any of the defendants members of the immediate families of the defendants, any entity in which any defendant has or had a controlling interest, present or former directors and officers of iMergent and the legal representatives, heirs, successors, or assigns of any such defendant in exchange for payment of \$2,800,000, plus interest (the “Settlement Fund”); and

WHEREAS, on March 19, 2008, this Court entered the Final Approval Order and Judgment (the “Final Judgment”), finding, *inter alia*, that the Settlement and the Plan of Allocation were fair, reasonable and adequate and in the best interests of the Class and that the Notice to the Class satisfied the requirements of Rule 23(e) of the Federal Rules of Civil Procedure and due process;

WHEREAS, on December 2, 2008, this Court signed a Settlement Distribution Order; and

WHEREAS, on September 8, 2011, this Court signed an Order Allowing for a *Pro Rata* Distribution to Three Additional Class Members and Approving a Final Payment to the Claims Administrator;

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. The parties' Joint Motion Allowing for the Final Disposition of Unclaimed Settlement Funds to Charity is hereby granted.
2. The Court hereby allows payment of the remaining balance of \$87.89 in the Settlement Fund to ChangeLab Solutions.

IT IS SO ORDERED.

DATED: 9/10/12



HONORABLE DEE BENSON
UNITED STATES DISTRICT JUDGE